

**Municipal Review Committee
Planning & Zoning Conference Room**

**April 25, 2005
7:00 p.m.**

Municipal Review Committee Meeting Minutes of April 25, 2005

Attendance:

Phil Sgamma, MRC Chairman
Lou Depowski, MRC Member
Rich McNamara, MRC Member
John Moulin, MRC Member
Jim Callahan
Jeff Grenzbach, Planning Board Liaison
Andy Hunt

Paul Shear, MRC Member
Matt Balling, MRC Member
Dan Michnik, MRC Member
Scott Bylewski, Town Board Liaison
Jim Hartz
Kathy DeRose
Sean Hopkins

Meeting Minutes of March 21, 2005

ACTION: Motion by John Moulin, seconded by Lou Depowski, to accept the recorded minutes as official.

QUESTION: Regarding the Harris Hill Animal Hospital discussion, Phil Sgamma asked Jim Hartz about the front yard setback in the Traditional Neighborhood District.

VOTING: All Ayes.

MOTION PASSED

Old Business:

Agenda Item I - Walgreen's Pharmacy, 6785 Transit Road

The wetland report and flood zone boundary have been completed. Sean Hopkins, attorney, said that the report was prepared by URS and confirms that the project will not be impacting any wetland areas. The site has been heavily disturbed and there has been no archeological significance found on the property.

Phil Sgamma said that there's a dilemma that the board is dealing with. The project is a good use of land for that location, but there is a character issue with your site plan and building configuration. Sean Hopkins said that from a business perspective, Walgreen's is not able to move the building adjacent to the right-of-way. Mr. Hopkins said that he does not see why that would require the board to issue a positive declaration on the project. Andy Hunt said that they are trying to achieve a similar objective in Williamsville. It is important for Walgreen's to provide for a double row of parking around the building to break up the sea of parking and provide for a shorter distance for pedestrians to walk from their cars.

Matt Balling said that he does not believe that the parking scheme has anything to do with the success of the business. It has more to do with the prices of the goods offered.

Andy Hunt said that the building Walgreen's has at Hertel and Parkside. The site is long and narrow, and one façade of the building is right on the sidewalk, with the parking around the side and back. He said that it creates a long blank wall along the street and people have to walk around the front of the building to get to the front door. So, they don't do the volume there that they would like.

Matt Balling said that the front entrance of the building does not have to be at the corner. An entrance could be created closer to the parking area. There are multiple ways to arrange the site plan to achieve Walgreen's objectives. The Town has adopted zoning regulations for this area that state they do not want to see parking in the front of the building. The Town is trying to reverse a development trend that has left Transit Road a miserable place. They are trying to keep a small neighborhood in Swormville pedestrian friendly. But nonetheless, they have a duty under state mandates to review the community-wide impacts of this project and recommend that the Town Board take the appropriate action.

Phil Sgamma said that the project itself will not be a significant impact as long as it conforms to the local land use regulations regarding site development. Andy Hunt said that this proposed use is superior to a gas station or dollar store. Sean Hopkins said that this building has come a long way in a short time. It is significantly different than the Walgreen's built five years ago in town.

ACTION: Motion by Matt Balling, seconded by Dan Michnik, that the board recommends that the Town Board issue a negative declaration on this project based on the project conforming to the site design requirements in the zoning law. (The action is based on SEQRA handbook chapter 4 published by the NYSDEC, attached).

Agenda Item II – Barbalato 2 four-lot open development areas with 2 frontage lots
County & Heise Roads

The item is tabled due to no new information.

Agenda Item III - DeRose 4-lot Open Development Area
Kraus Road

The item was sent out for Lead Agency status at the board's last meeting. We have heard back from the DEC who said that there are no significant environmental impacts associated with the development. The Erie County DEP also had no comment regarding the impacts.

ACTION: Motion by Paul Shear, seconded by Rich McNamara, that the board recommend that the Town Board issue a negative declaration on the project after a thorough review of the EAF parts I & II as well as agency correspondence from the NYSDEC and ECDEP.

VOTING: All Ayes.

MOTION PASSED.

Agenda Item IV - Krislyn Co., LLC Office Building

Jim Callahan updated the board on the Lead Agency status and correspondence received to date. We will be forwarding information to the board when we receive it.

This item was tabled until their next official meeting.

Agenda Item V- People Inc./Oak Housing Project

Jim Callahan said that we have sent out the Lead Agency forms regarding the project and have received a response from the DEC. We are still awaiting other agency comments. The applicant will be required to obtain a SPDES permit and they did identify that the site may include habitat for the Tansy Mustard plant. This project will be officially referred from the Planning Board at their next meeting.

Matt Balling asked about the future connectivity from the site to the adjoining land uses. Jim Callahan updated the board on the plans for the Eastern Hills Corridor Plan. The Town is seeking grant funding for economic development along this new public R-O-W.

This item was tabled until their next official meeting.

New Business:

Agenda Item I - Tim Berndt, 8185 Goodrich Road, Demolition Permit

From our best records, it seems that the structure was built in 1951. It appears to be an unsafe structure, and the Clarence Center Fire Company will be using it for training purposes.

ACTION: Motion by Paul Shear, seconded by John Moulin, that the board recommend that the Town Board issue a negative declaration on this project based on the demolition not having any significant adverse impacts on the community.

VOTING: All Ayes.

MOTION PASSED.

The next meeting will be held on May 16, 2005 at 7:00 p.m. with a 6:30 p.m. work session.